

**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF WASHINGTON**

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

JAMES SKAHAN-LOWE,

Defendant.

**Case No. 1:22-CR-2079-SAB-1**

**CRIMINAL MINUTES**

**DATE: FEBRUARY 2, 2023**

**LOCATION: YAKIMA, WA**

**SENTENCING HEARING**

<b>Chief Judge Stanley A. Bastian</b>		
Michelle Fox	01	Marilynn McMartin
<b>Courtroom Deputy</b>	<b>Law Clerk</b>	<b>Court Reporter</b>
Thomas Hanlon		Ben Hernandez
<b>Government Counsel</b>		<b>Defense Counsel</b>
<b>United States Probation Officer:</b> C. Valencia		

**Open Court**

**Chambers**

**Telecon/Video**

Defendant present and in custody of the U.S. Marshal.

Court outlines the case. Defendant pled guilty to Count 2. Court summarizes maximum penalties and guidelines. Court has reviewed all of the materials submitted and presentence report.

B. Hernandez indicates there were objections however they were addressed in the Addendum.

T. Hanlon presents argument and outlines recommendations. 10 years. Restitution: \$6,000.00

Isidro Cervantes-Vazquez speaks to the Court. Court speaks to the victim. Victim speaks to the Court.

B. Hernandez presents argument and outlines recommendations. 8 years. Due to the crime, it cannot be run concurrently. It has to run consecutive to the State time.

Court speaks to the defendant.

Defendant speaks to the Court.

Court speaks to the defendant. Court outlines the 3553 factors. Court outlines the criminal history.

**[ X ] ORDER FORTHCOMING**

**CONVENED: 10:20 A.M.**

**ADJOURNED: 10:50 A.M.**

**TIME: 30 MIN.**

**CALENDARED**

**[ X ]**

United States -vs- J. Skahan-Lowe  
1:22-CR-2079-SAB-1  
Sentencing Hearing

February 2, 2023  
Page 2

Imprisonment: 120 months. Credit for Time Served.

Supervised Release: 5 years with the standard conditions and the following special conditions:

1. You must not communicate, or otherwise interact, with Isidro Cervantes-Vasquez, either directly or through someone else, without first obtaining the permission of the probation officer. You must not enter the premises or loiter within 1000 feet of the victim's residence or place of employment.
2. You must not communicate, associate, or otherwise interact, with any known criminal street gang member or their affiliates, without first obtaining the permission of the probation officer.
3. You must complete a mental health evaluation and follow any treatment recommendations of the evaluating professional which do not require forced or psychotropic medication and/or inpatient confinement, absent further order of the court. You must allow reciprocal release of information between the supervising officer and treatment provider. You must contribute to the cost of treatment according to your ability to pay.
4. You must submit your person, residence, office, or vehicle and belongings to a search, conducted by a probation officer, at a sensible time and manner, based upon reasonable suspicion of contraband or evidence of violation of a condition of supervision. Failure to submit to search may be grounds for revocation. You must warn persons with whom you share a residence that the premises may be subject to search.
5. You must undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the court. You must contribute to the cost of treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.
6. You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.
7. You must not enter into or remain in any establishment where alcohol is the primary item of sale. You must abstain from alcohol and must submit to urinalysis and Breathalyzer testing as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from this substance.

SPA: \$100.00

Fine: Waived

Restitution: \$6,000.00 to be paid to victim

Waiver of Right to Appeal discussed.

T. Hanlon moves to dismiss the remaining counts. Court will dismiss the counts.